

Message Text

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43

ACTION NEA-10

INFO OCT-01 ISO-00 SCSE-00 H-02 CU-04 SSO-00 L-03 /020 W
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O 061130Z AUG 75

FM AMEMBASSY COLOMBO

TO SECSTATE WASHDC IMMEDIATE 3169

UNCLAS COLOMBO 2437

EO 11652: N/A

TAGS: CASC, CE (PUTTERMAN, JAYDIE)

SUBJ: CONGRESSIONAL INTEREST IN US STUDENT

REF: STATE 184922; SCS OPERATIONS MEMO DATED JULY 8.

1. FULL TEXT FOLLOWS OF AMB'S LETTER TO SENATOR JAVITS WHICH
WAS POUCHED ON JULY 31:

"YOUR INQUIRY REGARDING THE LEGAL PROCEEDINGS SURROUNDING
THE AUTOMOBILE ACCIDENT OF MY JAYDIE PUTTERMAN, SON
OF MR AND MRS MICHEAL H. PUTTERMAN, 975 PARK AVE,
NEW YORK, NEW YORK 10028, HAS BEEN FORWARDED TO THE
EMBASSY BY MR ROBERT MCLOSKEY, ASSISTANT SECRETARY
FOR CONGRESSIONAL RELATIONS, FOR REPLY.

SHORTLY AFTER THE ACCIDENT IN KANDY ON APRIL 21 IN
WHICH A 14-YEARL OLD CYCLIST SUFFERED FATAL INJURIES,
MY MAYDIE PUTTERMAN WAS IN CONTACT WITH THE EMBASSY'S
CULTURAL AFFAIRS OFFICER, MR RICHARD ROSS, WHO
HAPPENED TO BE IN KANDY AT THAT TIME. MR ROSS CONTACTED
THE EMBASSY'S CONSULAR OFFICER IN COLOMBO WHO ADVISED
MR PUTTERMAN TO COOPERATE AS FULLY AS POSSIBLE WITH
THE POLICE, COMPLETE THE REQUIRED REPORT ON THE ACCIDENT,
AND TO SEEK LEGAL ASSISTANCE WHEN IT BECAME NECESSARY.
THE CORONER'S INQUEST TOOK PLACE THE FOLLOWING DAY AND
MR PUTTERMAN WAS RELEASED ON MR ROSS'S RECOGNIZANCE.
A FEW DAYS LATER MR PUTTERMAN CAME TO COLOMBO TO SEE
THE CONSULAR OFFICER AND EXPLAINED WHAT HAD
HAPPENED. ON LEARNING THAT THE EMBASSY IS NOT PERMITTED
TO RECOMMEND A SPECIFIC LAWYER, MR PUTTERMAN TOOK THE
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ADVICE OF AN ACQUAINTANCE, MR BERNARD SOYSA, ACTING

MINISTER OF FINANCE, TO ENGAGE THE SERVICES OF
MR DAYA R. PERERA, 15 SIRIPA LANE, COLOMBO 5, SRI
LANKA. TEL: 83807, WHOM MR SOYSA HIGHLY RECOMMENDED.
ONE OF MR PERERA'S REPS ATTENDED A ONE-
MINUTE HEARING ON MAY 15 AT WHICH MR PUTTERMAN WAS
CHARGED WITH CARELESS AND DANGEROUS DRIVING AT AN
EXCESSIVE SPEED RESULTING IN THE DEATH OF GAMINI
RATNAYAKE. MR PERERA HAS TOLD MR PUTTERMAN
THAT HE PROBABLY WILL BE REQUIRED TO PAY A FINE OF
PERHAPS 1,000 TO 2,000 RUPEES, PLUS COURT COSTS.
(THE MAXIMUM PENALTIES UNDER CHAPTER 19, SECTION 298
OF THE CEYLON PENAL CODE WHICH INCLUDES MANSLAUGHTER
AND HIT AND RUN DRIVING, PROVIDE FOR FINES UP TO
2,000 RUPEES AND/OR A PRISON SENTENCE OF UP TO 5 YEARS.)
IN MR PUTTERMAN'S FAVOR, ARE THE FACTS THAT HE
REMAINED AT THE SITE OF THE ACCIDENT, HELPED THE
VICTIM SEEK MEDICAL ASSISTANCE, COMPLIED WITH ALL
POLICE REQUIREMENTS, AND AIDED THE FAMILY WITH FUNERAL
EXPENSES.

AT THE MAY 15 HEARING, MR PUTTERMAN, UPON THE ADVICE
OF HIS LAWYER, PLEADED NOT GUILTY TO THE CHARGES WHICH
HE CONSIDERED BOTH WRONG AND EXCESSIVE AND WAS
RELEASED UPON PAYMENT OF 1,000 RUPEES BOND. A TRIAL
DATE WAS SET FOR SEPT 10. MR PUTTERMAN HAS
TOLD US THAT IN THE BEGINNING THERE HAD BEEN A
POSSIBILITY THAT THE MATTER MIGHT BE SETTLED OUT OF
COURT. HOWEVER, THIS SETTLEMENT DID NOT GO THROUGH AND
WE UNDERSTAND THERE IS A POSSIBILITY THAT A CIVIL SUIT
CLAIMING 200,000 RUPEES DAMAGES MAY BE INSTITUTED
AGAINST MR PUTTERMAN. THIS WOULD NOT OCCUR, HOWEVER,
UNTIL AFTER THE CRIMINAL CHARGES ARE HEARD. ONE RUPEE
EQUALS \$0.09.

BOTH IN DISCUSSIONS BEFORE AND AFTER THE HEARING
MR PUTTERMAN SPECIFICALLY INSTRUCTED THE EMBASSY NOT
TO INFORM HIS PARENTS. MR PUTTERMAN RECENTLY INFORMED
THE CONSULAR OFFICER THAT HE HAS TOLD HIS PARENTS OF
HIS SITUATION.

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I WISH TO ASSURE YOU THAT AN AMERICAN CONSULAR OFFICER
WILL ATTEND MR PUTTERMAN'S TRAIL AND THAT THE EMBASSY
WILL MAKE EVERY EFFORT TO INSURE THAT MR PUTTERMAN
IS GIVEN FAIR AND EQUAL TREATMENT UNDER SRI LANKA LAW.
I WILL CONTINUE TO FOLLOW THIS MATTER AND WILL, OF
COURSE, INFORM YOU OF SUBSEQUENT DEVELOPMENTS."

2. MR PUTTERMAN WAS ALSO THE DRIVER IN AN AUTOMOBILE

ACCIDENT ON JUNE 6 IN COLOMBO. THERE WERE NO INJURIES
AND, AFTER REPORTING THE INCIDENT TO THE POLICE, THE
MATTER WAS SETTLED. PUTTERMAN HAS SINCE HIRED A DRIVER.
VAN HOLLEN

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